

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

RASHIDA MITCHEM, and  
LAKENDRICK BERRY,  
Plaintiffs,

v.

MORTGAGE ELECTRONIC  
REGISTRATION SERVICES, INC.,  
(MERS), et al.,  
Defendants.

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Civil Action No. 3:12-CV-1762-M (BH)

ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. The *Motion to Dismiss and Brief in Support*, filed January 4, 2013 (doc. 18) is **GRANTED**. By separate judgment, Plaintiffs' claims against Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP, and Federal National Mortgage Association a/k/a Fannie Mae will be dismissed with prejudice for failure to state a claim upon which relief can be granted. Plaintiffs' claims against E-Loan, Inc., will also be *sua sponte* dismissed with prejudice for failure to state a claim upon which relief can be granted.

SIGNED this 26<sup>th</sup> day of July, 2013.



BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS